

## **CLAIMS**

1. (amended) A wireless system for a video game console having at least one of an InfraRed (IR) receiver and a Radio Frequency (RF) receiver, and further having at least two operation modes including (i) a first game mode capable of playing video games and (ii) a second entertainment mode capable of playing DVD videos, the wireless system comprising:

a dedicated DVD remote control transmitter having DVD player function control buttons and having an absence of control over game functions of the video game console at all times, said dedicated remote control transmitter wirelessly transmitting DVD player control commands to at least one of the IR receiver and the RF receiver for controlling the DVD player functions of the video game console when in said second entertainment mode; and

a wireless game controller for wirelessly transmitting game control commands to at least one of the IR receiver and the RF receiver to control a game being played when the video game console is in said first game mode.

2. (original) The wireless system according to claim 1, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands to only the IR receiver and said wireless game controller wirelessly transmits the game control commands to only the RF receiver.

3. (original) The wireless system according to claim 1, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands to only

the RF receiver and said wireless game controller wirelessly transmits the game control commands to only the IR receiver.

4. (original) The wireless system according to claim 1, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands to both the IR receiver and the RF receiver depending upon at least a programmed code and said wireless game controller wirelessly transmits the game control commands to only one of the IR receiver and the RF receiver.

5. (original) The wireless system according to claim 1, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands to only one of the IR receiver and the RF receiver and said wireless game controller wirelessly transmits the game control commands to both the IR receiver and the RF receiver depending upon at least a programmed code.

6. (original) The wireless system according to claim 1, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands and said wireless game controller wirelessly transmits the game control commands respectively alternating between the IR receiver and the RF receiver so that, at any given time, the IR receiver is only used for one of the said dedicated remote control transmitter and said wireless game controller while the RF receiver is only used for the other one of said dedicated remote control transmitter and said wireless game controller.

7. (original) A wireless system for a video game console having at least one of an InfraRed (IR) receiver and a Radio Frequency (RF) receiver and further having at least two operation modes including (i) a first game mode capable of playing video games and (ii) a second entertainment mode capable of playing DVD videos, the wireless system comprising:

a universal remote controller for wirelessly controlling a plurality of different controllable devices including wirelessly transmitting DVD player control commands to at least one of the IF receiver and the RF receiver of the video game console, said universal remote controller having an absence of control over game functions of the video game console at all times and further having a code set corresponding to the second entertainment mode of the video game console; and

a wireless game controller for wirelessly transmitting game control commands to at least one of the IF receiver and the RF receiver of the video game console to control a game being played when the video game console is operating in the first game mode.

8. (Amended) The wireless system according to claim 7, wherein said universal remote ~~control~~ controller further comprises:

a memory for storing at least one code set corresponding to at least one brand of controllable devices including the code set for controlling the second entertainment mode of the video game console; and

a plurality of buttons for providing access to any one of the at least one code set and enabling an operation mode for controlling a selected controllable device,

said plurality of buttons including DVD player function control buttons for controlling the DVD player functions of the video game console when operating in the second entertainment mode.

9. (original) The wireless system according to claim 7, wherein said universal remote controller wirelessly transmits the DVD player control commands to only the IR receiver and said wireless game controller wirelessly transmits the game control commands to only the RF receiver.

10. (original) The wireless system according to claim 7, wherein said universal remote controller wirelessly transmits the DVD player control commands to only the RF receiver and said wireless game controller wirelessly transmits the game control commands to only the IR receiver.

11. (original) The wireless system according to claim 7, wherein said universal remote controller wirelessly transmits the DVD player control commands to both the IR receiver and the RF receiver depending upon at least a programmed code and said wireless game controller wirelessly transmits the game control commands to only one of the IR receiver and the RF receiver.

12. (original) The wireless system according to claim 7, wherein said universal remote controller wirelessly transmits the DVD player control commands to only one of the IR receiver and the RF receiver and said wireless game controller wirelessly transmits the

game control commands to both the IR receiver and the RF receiver depending upon at least a programmed code.

13. (amended) The wireless system according to claim 7, wherein said universal remote controller wirelessly transmits the DVD player control commands and said wireless game controller wirelessly transmits the game control commands respectively alternating between the IR receiver and the RF receiver so that, at any given time, the IR receiver is only used for one of the said ~~dedicated~~ universal remote controller ~~control-transmitter~~ and said wireless game controller while the RF receiver is only used for the other one of said ~~dedicated~~ universal remote controller ~~control-transmitter~~ and said wireless game controller.

14. (amended) A wireless system for a video game console having at least one of an InfraRed (IR) receiver and a Radio Frequency (RF) receiver and further having at least two operation modes including (i) a first game mode capable of playing video games and (ii) a second entertainment mode capable of non-game media, the wireless system comprising:

a dedicated DVD remote control transmitter having an absence of control over game functions of the video game console at all times and further having non-game media player function control buttons, said dedicated DVD remote control transmitter wirelessly transmitting non-game media player control commands to at least one of the IR receiver and the RF receiver for controlling the non-game media player functions of the video game console when in said second entertainment mode; and

a wireless game controller for wirelessly transmitting game control commands to at least one of the IR receiver and the RF receiver to control a game being played when the video game console is in said first game mode.

15. (amended) The wireless system according to claim 14, wherein said dedicated DVD remote control transmitter wirelessly transmits the ~~DVD~~ non game media player control commands to only the IR receiver and said wireless game controller wirelessly transmits the game control commands to only the RF receiver.

16. (original) The wireless system according to claim 14, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands to only the RF receiver and said wireless game controller wirelessly transmits the game control commands to only the IR receiver.

17. (original) The wireless system according to claim 14, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands to both the IR receiver and the RF receiver depending upon at least a programmed code and said wireless game controller wirelessly transmits the game control commands to only one of the IR receiver and the RF receiver.

18. (original) The wireless system according to claim 14, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands to only one of the IR receiver and the RF receiver and said wireless game controller wirelessly

transmits the game control commands to both the IR receiver and the RF receiver depending upon at least a programmed code.

19. (original) The wireless system according to claim 14, wherein said dedicated DVD remote control transmitter wirelessly transmits the DVD player control commands and said wireless game controller wirelessly transmits the game control commands respectively alternating between the IR receiver and the RF receiver so that, at any given time, the IR receiver is only used for one of the said dedicated remote control transmitter and said wireless game controller while the RF receiver is only used for the other one of said dedicated remote control transmitter and said wireless game controller.

## **RESPONSE**

The Office Action mailed July 13, 2004 has been reviewed and carefully considered.

Claims 1, 8, 13 and 14-19 have been objected to for matters of formality. Applicant has amended the claims to correct such formal matters. Withdrawal of the objections is respectfully requested.

Claims 1-19 stand rejected under the judicially created doctrine of obviousness-type double patenting in co-pending U.S. patent application serial No. 10/092,742.

As evidenced by the enclosed assignment recordation form, the present application and U.S. Patent Application Serial No. 10/092,742 are commonly owned by Arista Enterprises Inc.

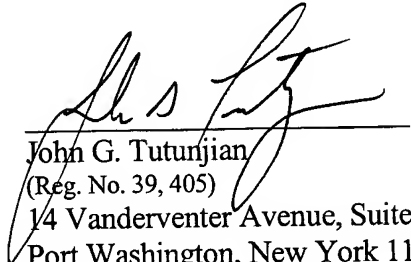
In response to this rejections and in view of the common ownership, applicant's representative submits herewith a fully executed Terminal Disclaimer, disclaiming the portion of the patent that would extend beyond the expiration of U.S. Patents application Serial No. 10/092,742. In addition the Terminal disclaimer fee of \$55.00 (small entity) set forth in 37 CFR 1.20(d) is also enclosed.

In view of the foregoing, Applicant respectfully requests that the rejection of the claims set forth in the Office Action of July 13, 2004 be withdrawn, that pending claims 1-32 be allowed, and that the case proceed to early issuance of Letters Patent in due course.



It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-1433.

Respectfully submitted,  
KEUSEY, TUTUNJIAN & BITETTO, P.C.



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